

P-421, 424/CP-93-184, is hereby closed. ORDER DENYING PETITIONS
AND CLOSING DOCKETS

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Cynthia A. Kitlinski
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner

In the Matter of the Petitions
for Extended Area Service From
Westbrook to Walnut Grove and
From Walnut Grove to Westbrook

ISSUE DATE: July 23, 1993

DOCKET NOS. P-424, 421/CP-93-167
P-421, 424/CP-93-184

ORDER DENYING PETITIONS AND
CLOSING DOCKETS

PROCEDURAL HISTORY

On March 5, 1993, the Commission received two petitions: one from subscribers in the Westbrook exchange requesting extended area service (EAS) to the Walnut Grove exchange and another from subscribers in the Walnut Grove exchange requesting EAS to the Westbrook exchange.

On May 3, 1993, U S West Communications, Inc. (USWC), the telephone company serving the Westbrook exchange, filed a study of the traffic from Westbrook to Walnut Grove.

On June 22, 1993, Redwood County Telephone Company (Redwood), the telephone company serving the Walnut Grove exchange, filed a study of the traffic from Walnut Grove to Westbrook.

On May 26, 1993, the Minnesota Department of Public Service (the Department) filed a recommendation that the Walnut Grove to Westbrook petition be denied.

On June 9, 1993, the Department filed a recommendation that the Westbrook to Walnut Grove petition be denied.

On July 13, 1993, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

According to the extended area service (EAS) statute, the Commission must grant a petition to install EAS if 1) the petitioning exchange is contiguous to the petitioned exchange or

local calling area, 2) at least 50 percent of the customers in the petitioning exchange make one or more calls per month to the petitioned exchange or local calling area, and 3) a majority of the customers in the petitioning exchange responding to a poll indicate that they favor its installation. Minn. Stat. § 237.161, subd. 1 (a) (1992).

In processing EAS petitions, the Commission's threshold determinations are whether the petition meets the statute's adjacency and traffic requirements.

Adjacency

In this case, it is clear that the two exchanges are next to each other and therefore both petitions meet the adjacency requirement. See the exchange maps on file with the Department.

Traffic Requirement

However, according to traffic study filed by USWC, fewer than 50 percent of Westbrook's subscribers make one or more calls per month to the Walnut Grove exchange and, from the traffic study filed by Redwood, fewer than 50 percent of Walnut Grove's subscribers make one or more calls per month to the Westbrook exchange. Therefore, it is clear that neither petition meets the statute's traffic requirement.

Commission Action

Accordingly, the Commission will deny the petitions and close both dockets. Subscribers will be entitled to renew their requests for EAS after a two year period. Minn. Rules, Part 7815.1500.

ORDER

1. The petition for extended area service from the Westbrook exchange to the Walnut Grove exchange is hereby denied and the docket opened for that matter, Docket No. P-421, 424/CP-93-184, is hereby closed.
2. The petition for extended area service from the Walnut Grove exchange to the Westbrook exchange is hereby denied and the docket opened for that matter, Docket No. P-424, 421/CP-93-167, is hereby closed.

3. USWC and Redwood shall notify their customers that the EAS petitions have been denied in a written notice included with the earliest possible monthly bill issued to customers. The notice shall explain the reason for the denial. USWC and Redwood shall file a copy of the actual notice given to customers within 10 days of giving notice to customers.
4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)